

HARNES DICKY

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Director of the U.S. Patent and
 Trademark Office
 P. O. Box 1450
 Alexandria, VA 22313-1450

Re: U.S. Patent No. RE40,400 E
 Issued: June 24, 2008
 Inventor: Mark Bass, et al.
 For: Capacity Modulated Scroll Machine
 Our reference: 0315-000414/REF

Sir:

We have noted in proofreading Patent No. RE40,400 E the following errors:

Column 10, line 64, (application page 10, line 67), "packages" should be
 --passages--.

Column 11, line 64, (application page 11, line 67), "in" should be --to--.

Column 12, line 23, (application page 12, line 26), "evaluating" should be
 --evacuating--.

Column 13, line 8, (application page 13, line 10), "strings" should be
 --springs--.

Column 20, line 44, (application page 20, line 53), "generating" should be
 --generated--.

Column 21, line 57-58, (application page 22, line 3), "positioned" should be
 --position--.

Please make these errors of record in your files.

Very truly yours,

Michael Malinzak
 Reg. No. 43,770

MM/jd
 15080622.1

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